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REGISTER OF ACTIONS**CASE No. 21-1330-C395****Wendy Bergman vs. Saif Youssif-Jan and Charter Logistics USA, Inc.**§
§
§
§
§Case Type: **Damage - Motor Vehicle**Date Filed: **08/26/2021**Location: **395th Judicial District Court****PARTY INFORMATION**

Defendant	Charter Logistics USA, Inc.	Lead Attorneys P Clark Aspy <i>Retained</i> 512-479-0300(W)
Defendant	Youssif-Jan, Saif Adhab-Dheyaa	P Clark Aspy <i>Retained</i> 512-479-0300(W)
Plaintiff	Bergman, Wendy	Neil Solomon <i>Retained</i> 512-246-2224(W)

EVENTS & ORDERS OF THE COURT**OTHER EVENTS AND HEARINGS**

08/26/2021	Original Petition (OCA)		
08/26/2021	Request for Issuance		
08/27/2021	Citation		
	Youssif-Jan, Saif Adhab-Dheyaa	Served	08/27/2021
		Returned	08/30/2021
	Charter Logistics USA, Inc.	Served	08/27/2021
		Returned	08/30/2021
08/30/2021	Return of Service		
08/30/2021	Return of Service		
09/20/2021	Defendant's Original Answer		
09/20/2021	Jury Demand		

EXHIBIT A

CITATION
THE STATE OF TEXAS, COUNTY OF WILLIAMSON
NO. 21-1330-C395

WENDY BERGMAN VS. SAIF YOUSSEF-JAN AND CHARTER LOGISTICS USA, INC.

TO: Saif Adhab-Dheyaa Youssif-Jan
c/o Texas Transportation Corporation
125 East 11th Street
Austin, Texas 78701

DEFENDANT in the above styled and numbered cause:

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment for the relief demanded in the petition may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org

Attached is a copy of the PLAINTIFF'S ORIGINAL PETITION in the above styled and numbered cause, which was filed on the 26th day of August, 2021 in the 395th Judicial District Court of Williamson County, Texas. This instrument describes the claim against you.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office on this the 27th day of August, 2021.

ADDRESS OF LEAD ATTORNEY FOR
PETITIONER:
Neil Solomon
8834 N Capital of Texas Hwy., Ste 304
Austin TX 78759

Lisa David, District Clerk
PO Box 24, Georgetown, TX 78627
Williamson County, Texas
(512) 943-1212



BY: Sabrina Rodriguez
Sabrina Rodriguez, Deputy

RETURN OF SERVICE

Came to hand on the ____ day of _____, 20____, at ____ o'clock ____ M. and executed at _____, within the County of _____, Texas, at ____ o'clock ____ M. on the ____ day of _____, 20____, by delivering to the within named _____, in person a true copy of this citation, with a true and correct copy of the PLAINTIFF'S ORIGINAL PETITION attached thereto, having first endorsed on such copy of citation the date of delivery.

* **NOT EXECUTED**, the diligence used to execute being (show manner of delivery) _____
_____; for the following reason _____
the defendant may be found at _____.

*Strike if not applicable.

TO CERTIFY WHICH WITNESS MY HAND OFFICIALLY _____ COUNTY, TEXAS
_____, SHERIFF/CONSTABLE BY: _____ DEPUTY

FEE FOR SERVICE OF CITATION : \$ _____

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return.

My name is _____, my date of birth is _____, and my address is _____
Please print. (First, Middle, Last) _____ (Street, City, Zip).

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____, on the ____ day of _____, 20____.

Declarant/Authorized Process Server

ATX Process, LLC
604 West 9th Street
Suite B
Austin, TX 78701

ID # & expiration of certification

AFFIDAVIT OF SERVICE

State of Texas

County of Williamson

395th Judicial District Court

Case Number: 21-1330-C395

Plaintiff:

Wendy Bergman

vs.

Defendant:

Saif Youssif-Jan and Charter Logistics USA, Inc.

For:

Zinda Law Group, PLLC
 8834 North Capital Of Texas Highway
 Ste. 304
 Austin, TX 78759

Received by ATX Process, LLC on the 27th day of August, 2021 at 10:58 am to be served on **Saif Adhab-Dheyaa Youssif-Jan c/o Texas Transportation Commission, 125 E. 11th Street, Austin, Travis County, TX 78701.**

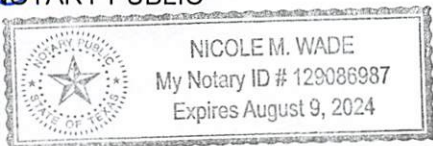
I, Dane Ray Cuppett, being duly sworn, depose and say that on the **27th day of August, 2021** at **1:02 pm**, I:

served the **TRANSPORTATION COMMISSION** by delivering in duplicate a true copy of the **Citation and Plaintiff's Original Petition with Williamson County Local Rules** with the date of service endorsed thereon by me, to: **Stephanie Deal at 125 E. 11th Street, Austin, Travis County, TX 78701**, as the designated agent for the Texas Transportation Commission to accept service of process on behalf of **Saif Adhab-Dheyaa Youssif-Jan**. An administrative fee of \$25.00 was also tendered.

I certify that I am over the age of 18, have no interest in the above action, and am a certified process server, in good standing, in the judicial circuit in which the foregoing occurred. The facts in this affidavit are within my personal knowledge and true and correct.

Subscribed and sworn to before me on the 27th
 day of August, 2021 by the affiant
 who is personally known to me.

NOTARY PUBLIC



Dane Ray Cuppett
 PSC-7114, Exp. 10/31/23

Date

8/27/2021
 ATX Process, LLC
 604 West 9th Street
 Suite B
 Austin, TX 78701
 (512) 717-5600

Our Job Serial Number: ATX-2021008909
 Ref: Wendy Bergman

EXHIBIT A

CITATION
THE STATE OF TEXAS, COUNTY OF WILLIAMSON
NO. 21-1330-C395

WENDY BERGMAN VS. SAIF YOUSSEF-JAN AND CHARTER LOGISTICS USA, INC.

TO: Charter Logistics USA, Inc.
 c/o Secretary of State
 1019 Brazos Street
 Austin, Texas 78701

DEFENDANT in the above styled and numbered cause:

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment for the relief demanded in the petition may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org

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ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office on this the 27th day of August, 2021.

ADDRESS OF LEAD ATTORNEY FOR
 PETITIONER:
 Neil Solomon
 8834 N Capital of Texas Hwy., Ste 304
 Austin TX 78759

Lisa David, District Clerk
 PO Box 24, Georgetown, TX 78627
 Williamson County, Texas
 (512) 943-1212



BY: Sabrina Rodriguez
 Sabrina Rodriguez, Deputy

RETURN OF SERVICE

Came to hand on the ____ day of _____, 20____, at ____ o'clock ____ M. and executed at _____, within the County of _____, Texas, at ____ o'clock ____ M. on the ____ day of _____, 20____, by delivering to the within named _____, in person a true copy of this citation, with a true and correct copy of the PLAINTIFF'S ORIGINAL PETITION attached thereto, having first endorsed on such copy of citation the date of delivery.

* **NOT EXECUTED**, the diligence used to execute being (show manner of delivery) _____; for the following reason _____.

the defendant may be found at _____.
 *Strike if not applicable.

TO CERTIFY WHICH WITNESS MY HAND OFFICIALLY _____ COUNTY, TEXAS
 _____ SHERIFF/CONSTABLE BY: _____ DEPUTY

FEE FOR SERVICE OF CITATION : \$ _____

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return.

My name is _____, my date of birth is _____, and my address is _____
 Please print. (First, Middle, Last)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.

Declarant/Authorized Process Server

ID # & expiration of certification

SERVICE RETURN ATTACHED

ATX Process, LLC
604 West 9th Street
Suite B
Austin, TX 78701

AFFIDAVIT OF SERVICE

State of Texas

County of Williamson

395th Judicial District Court

Case Number: 21-1330-C395

Plaintiff:

Wendy Bergman

vs.

Defendant:

Saif Youssif-Jan and Charter Logistics USA, Inc.

For:

Zinda Law Group, PLLC
 8834 North Capital Of Texas Highway
 Ste. 304
 Austin, TX 78759

Received by ATX Process, LLC on the 27th day of August, 2021 at 10:58 am to be served on **Charter Logistics USA, Inc. c/o Secretary of State, 1019 Brazos, Austin, Travis County, TX 78701.**

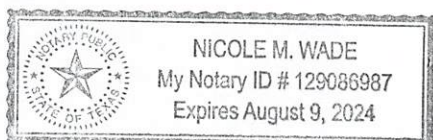
I, Dane Ray Cuppett, being duly sworn, depose and say that on the **27th day of August, 2021** at **1:06 pm, I:**


executed to the **SECRETARY OF STATE** by delivering in duplicate a true copy of the **Citation and Plaintiff's Original Petition with Williamson County Local Rules** with the date of delivery endorsed thereon by me, to: **Michael Orta at 1019 Brazos, Austin, Travis County, TX 78701**, as the designated agent for the Texas Secretary of State to accept delivery of process on behalf of **Charter Logistics USA, Inc..** An administrative fee of \$55.00 was also tendered.

I certify that I am over the age of 18, have no interest in the above action, and am a certified process server, in good standing, in the judicial circuit in which the foregoing occurred. The facts in this affidavit are within my personal knowledge and true and correct.

Subscribed and sworn to before me on the 27th
 day of August, 2021 by the affiant
 who is personally known to me.


 NOTARY PUBLIC




Dane Ray Cuppett
 PSC-7114, Exp. 10/31/23

8/27/2021
 Date

ATX Process, LLC
604 West 9th Street
Suite B
Austin, TX 78701
(512) 717-5600

Our Job Serial Number: ATX-2021008908
 Ref: Wendy Bergman

EXHIBIT A

CAUSE NO. 21-1330-C395

WENDY BERGMAN	§	IN THE DISTRICT COURT
Plaintiff	§	
	§	
v.	§	395TH JUDICIAL DISTRICT
	§	
SAIF ADHAB-DHEYAA YOUSSEF-	§	
JAN AND CHARGER LOGISTICS	§	
USA, INC.	§	
Defendants	§	WILLIAMSON COUNTY, TEXAS

DEFENDANTS' ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW SAIF ADHAB-DHEYAA YOUSSEF-JAN AND CHARGER LOGISTICS USA, INC. in the above numbered and entitled cause, and file this Original Answer and for such Answer would respectfully show the following:

1.

Defendants invoke the provisions of Rule 92, Texas Rules of Civil Procedure; and do thereby exercise their legal right to require Plaintiff to prove all the allegations of her pleading, which are denied, and, accordingly, Defendants generally deny the allegations of Plaintiff's pleading and demand strict proof thereof by a preponderance of the evidence.

2.

AFFIRMATIVE DEFENSES

Defendants would show that Plaintiff's damages, if any, were solely caused by matters or conditions not under the control of Defendants, or by conduct of parties over whom Defendants had no control. Said damages were caused in whole or in part by Plaintiff's and/or third parties' negligence, acts or omissions. Accordingly, Defendants assert all rights, privileges and remedies

afforded or available to it pursuant to Chapter 33 of the Texas Civil Practices & Remedies Code, and all applicable common and statutory laws of the state of Texas.

3.

Additionally, and/or in the alternative, Defendants would affirmatively show that Plaintiff's injuries and damages, if any, were caused by an unavoidable accident and/or were not the result of negligence of any person or party.

4.

REQUEST FOR JURY

Defendants in the above styled and numbered cause respectfully request that this matter be set upon the Court's jury docket for trial by jury at such time as it is set for trial. Defendants would show that in conjunction with this request the requisite jury fee has been tendered to the Clerk of the Court.

WHEREFORE, PREMISES CONSIDERED, Defendants pray that Plaintiff recover nothing, that Defendants recover costs of court, and Defendants request general relief.

Respectfully submitted,

NAMAN, HOWELL, SMITH & LEE, PLLC
8310 Capital of Texas Highway North, Suite 490
Austin, Texas 78731
(512) 479-0300
FAX (512) 474-1901
aspy@namanhowell.com

BY: 

P. Clark Aspy
State Bar No. 01394170

ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded by the manner indicated below to all counsel of record on this 20th day of September 2021.

Neil Solomon
Shivangi Mehta
Zinda Law Group
8834 N. Capital of Texas Hwy, Suite 304
Austin, Texas 78759



P. Clark Aspy

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

P. Aspy on behalf of P. Aspy
Bar No. 1394170
caspy@namanhowell.com
Envelope ID: 57393032
Status as of 9/20/2021 1:09 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Neil Solomon		neil@zdfirm.com	9/20/2021 9:37:07 AM	SENT